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F. #2016R02228

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

PROTECTIVE ORDER

- against -

Cr. No. 18-633 (ERK)

ALEKSANDR ZHUKOV,

Defendant.

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IT IS HEREBY ORDERED by the Court, pursuant to Federal Rule of
Criminal Procedure 16(d), that:

1. Discovery material designated by the government as “sensitive discovery material” and produced to the defendant by the government in the above-captioned case, and any and all copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material, may be used by the defendant and defense counsel only for purposes of trial preparation and for defending against the charges in the above-captioned case;
2. The sensitive discovery material, and any copies, notes, transcripts, documents or other information derived or prepared from this sensitive discovery material shall not be further disseminated by the defendant or defense counsel to any individuals, organizations or other entities, other than members of the legal staff of defense counsel (i.e., defense counsel, paralegals, investigators, interpreters and retained experts), without further order of the Court;
3. Each of the individuals to whom disclosure is authorized in paragraph 2, that is, members of the legal staff of defense counsel, shall be provided a copy of this Order and

will be advised that he or she shall not further disseminate any portion of the sensitive discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material except in conformity with this Order;

4. All sensitive discovery material specifically identified by the government as material designated for "ATTORNEYS' EYES ONLY" (the "Attorneys' Eyes Only Material") may be reviewed only by defense counsel and defense counsel's legal staff, as defined in paragraph 2 above. Attorneys' Eyes Only Material may not be disseminated to or reviewed by any other person, including the defendant.

5. Where the defendant and/or defense counsel wishes to disclose any portion of the sensitive discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material to any individual to whom disclosure is not authorized by paragraph 2, or where defense counsel wishes to disclose Attorneys' Eyes Only Material to the defendant, defense counsel must provide advance notice to the government and make application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated application so as to permit briefing and argument on the propriety of such disclosure:

6. None of the sensitive discovery material, nor any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material shall be disseminated to, or discussed with, the media in any form. Nothing in this Order prohibits the media from obtaining copies of any items that become public exhibits at any conference, hearing, trial or other proceeding:

7. The government may designate material as sensitive discovery material and/or Attorneys' Eyes Only Material either prior to or after disclosing the material to the defendant and/or defense counsel, by notifying defense counsel of the designation.

8. Nothing in this Order in any way releases counsel for the government or defense counsel from the obligations of the "Free Press Fair Trial Directives" of Local Rule 23.1 of the Local Criminal Rules of the Eastern District of New York:

9. Nothing in this Order shall preclude the government from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material;

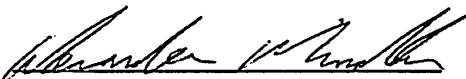
10. If the defendant obtains substitute counsel, the current defense counsel will not transfer any portion of the sensitive discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material unless and until substitute counsel has filed a Notice of Appearance in the above-captioned matter, is provided a copy of this Order, and is advised of his or her obligation to comply with this Order;

11. The defendant and defense counsel will return to the government the sensitive discovery material and all copies thereof, whether in the possession of the defendant, defense counsel or members of the legal staff of defense counsel, when the defendant enters a guilty plea, at the conclusion of any post-trial/appellate proceedings or immediately following an acquittal, whichever occurs last; and


12. Any violation of this Order (a) will require the immediate return to the United States of the sensitive discovery material and all copies thereof, and (b) may result in contempt of Court.

Dated: Brooklyn, New York
July 31, 2019

RICHARD P. DONOGHUE
United States Attorney
Eastern District of New York

By: 
Alexander Mindlin
Assistant U.S. Attorney

Agreed to by:



Andrew J. Frisch, Esq.
Attorney for Defendant Aleksandr Zhukov

SO ORDERED:

s/ Edward R. Korman

THE HONORABLE EDWARD R. KORMAN
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK